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Financial reports and audited financial statements, and reports of the Board of Auditors

Review of the efficiency of the administrative and financial functioning of the United Nations

Report on the activities of the Office of Internal Oversight Services

Addendum

Implementation of the recommendations of the Board of Auditors contained in its report on the activities of the Procurement Task Force

Report of the Secretary-General

Summary

The present report provides additional information in response to the recommendations of the Board of Auditors as contained in its report on the activities of the Procurement Task Force (A/63/167). The report is submitted in accordance with paragraph 7 of General Assembly resolution 48/216 B, in which the Secretary-General was requested to report to the Assembly at the same time as the Board of Auditors submitted its recommendations to the Assembly on measures taken or to be taken to implement those recommendations.

The Administration has concurred with the recommendations of the Board.

* A/63/150 and Corr.1.

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I. Introduction

1. In paragraph 7 of its resolution 48/216 B, the General Assembly requested the Secretary-General to report to it on the measures that would be taken to implement the recommendations of the Board of Auditors at the same time that the report of the Board was submitted to the Assembly. Accordingly, the present report is submitted in response to the recommendations of the Board contained in its report on the activities of the Procurement Task Force (A/63/167).

2. In preparing the present report, account was taken of the provisions of the following General Assembly resolutions:

(a) Resolution 52/212 B (in particular paras. 3-5) and the note by the Secretary-General transmitting the proposals of the Board for improving the implementation of its recommendations approved by the Assembly (A/52/753, annex);

(b) Resolution 62/223 A, in which the Assembly, in paragraph 11, reiterated its request for inclusion by the Secretary-General in future reports of information on the setting of time frames, the identification of office holders and the priorities for implementation.

II. Implementation of recommendations

3. Five recommendations are contained in paragraph 91 of the report of the Board (A/63/167). Set out below is the information requested by the General Assembly on the status of implementation of those recommendations.

4. **In paragraph 91 (a) the Board recommended that the Administration incorporate into the permanent investigations system of the United Nations the skills and competencies of the Procurement Task Force, as well as the lessons learned from its operations.**

5. Arrangements are being made to ensure that the institutional knowledge of the Procurement Task Force will be transferred to the Investigation Division in order to ensure that the remaining caseload is professionally investigated within the Investigation Division and that lessons learned are incorporated into its operations.

Department responsible: Office of Internal Oversight Services
Status: In progress
Priority: High
Target date: First quarter 2009

6. In paragraph 91 (b) the Board recommended that the Administration, when implementing the recommendation above, review the investigative function in the United Nations as a whole.

7. The Administration agrees with the need for a review of the investigation function of the United Nations as a whole. The Secretary-General, in his report on strengthening investigations (A/62/582), indicated his intention to report to the General Assembly after conducting a comprehensive review, which will provide a comprehensive approach to investigations across the United Nations.

8. It should be noted that in paragraph 17 of its resolution 62/247 the General Assembly requested the Secretary-General to prepare, in close cooperation with the Office of Internal Oversight Services (OIOS), for its consideration at its sixty-third session, a report providing detailed information regarding, inter alia:

(a) The status of implementation of its resolution 59/287;

(b) Updated and detailed information on all the entities other than the Office of Internal Oversight Services carrying out administrative inquiries and investigations, their legislative basis and precise role, the number and types of cases handled, related resources, reporting mechanisms, standards and guidelines involved and training imparted;

(c) The status of work done under general temporary assistance resources equivalent to six positions to establish a training capacity for the Investigations Division to enable programme managers to handle category II cases of misconduct[1] and the assessment of such work and any other related work carried out for the same purpose, as well as the future workplan thereof.

9. In paragraph 18 of the same resolution, the General Assembly requested the Secretary-General to prepare for its consideration and approval, in close cooperation with the Office of Internal Oversight Services, a report providing detailed information on terms of reference with regard to the proposed comprehensive review of investigations in the United Nations before the General Assembly decides on the necessity of such a review, taking into account the role and mandate of the Office of Internal Oversight Services as established in its resolution 48/218 B, the framework for investigation adopted in section IV of its resolution 57/282 and in its resolution 59/287, the reform of the system of administration of justice, the decisions of the Assembly to strengthen the investigation function of the Office of Internal Oversight Services and its decisions on the accountability framework, results-based management, enterprise risk management and the internal control framework.

Department responsible: Executive Office of the Secretary-General
Status: In progress
Priority: High
Target date: Fourth quarter 2008

10. **In paragraph 91 (c) the Board recommended that the Administration use investigation procedure very cautiously, only when there are well-founded suspicions that rules have been broken and only after all other reasonable actions (managerial decision, audit, etc.) have been duly envisaged.**

11. In accordance with paragraph 12 of General Assembly resolution 59/287, it is mandatory for programme managers to report to OIOS allegations of misconduct. OIOS is in the process of finalizing guidelines and preparing training to assist managers in this regard. When allegations of misconduct are referred to OIOS, it is for OIOS to determine which matters it should investigate and which matters it should not. As specifically stated in General Assembly resolution 48/218 B, and Secretary-General's bulletin ST/SGB/273, "[t]he Office of Internal Oversight Services shall exercise operational independence under the authority of the Secretary-General in the conduct of its duties and, in accordance with Article 97 of

[1] See A/58/708, para. 27.

the Charter of the United Nations, have the authority to initiate, carry out and report on any action which it considers necessary to fulfil its responsibilities with regard to monitoring, internal audit, inspection, evaluation and investigations".

12. In this regard, the Investigations Division and the Procurement Task Force have established procedures to evaluate whether the matters brought to the attention of OIOS should be formally investigated. Further, the Investigations Division has established an intake committee to review information reported to or identified by the Investigations Division that may lead to an investigation. The committee, which is expected to commence its duties in September, will review information reported on possible misconduct to determine whether there is sufficient basis to predicate a case for investigation. This includes a determination on receivability, jurisdiction and applicable law, as well as whether the information requires further clarification before any decision is taken. In regard to the investigation of mismanagement, United Nations Administrative Tribunal decisions have clearly defined severe mismanagement as misconduct and subject to disciplinary sanction.

Department responsible: Office of Internal Oversight Services
Status: Implemented
Priority: High
Target date: Not applicable

13. **In paragraph 91 (d) the Board recommended that the Administration standardize and consolidate the rules and procedures applicable to all investigations in the United Nations under an instruction of the Secretary-General, and ensure that such instruction be systematically given to the staff interviewed.**

14. As detailed below, OIOS is in the process of updating its investigation manual, revising and expanding its standard operating procedures and developing a learning programme to build the capacity of managers and staff who have a role in the investigation process. When OIOS completes its work, the Department of Management will prepare procedures, based on those developed by OIOS, for use by those who will conduct investigations that are not conducted by OIOS (e.g., category II cases). These procedures will be made available to all staff. OIOS, consistent with its mandate, determines the procedures and practices relative to its investigative responsibilities, so long as it is consistent with General Assembly mandates and the United Nations Administrative Tribunal's jurisprudence. The status of the work being carried out by OIOS is as follows:

(a) Development of a comprehensive investigation manual is well advanced, with a full draft to be available by September 2008. The manual will serve as a basis for advancing the current technical and substantive capacity of Investigations Division personnel. The manual will cover the entire process of investigations, including information that all staff members need to better understand their rights and responsibilities. Once completed, it will be made readily accessible to staff;

(b) Revision and expansion of key standard operating procedures to align OIOS with best practices in the system and developing jurisprudence affecting investigations has been completed. The Investigations Division is also working to expand the other standard operating procedures, which are designed specifically for investigators and are comprised of an array of support materials, including

procedures, protocols, checklists, templates and forms to facilitate the investigation process;

(c) A comprehensive investigation learning programme, to be integrated with the new manual, is under development to build the capacity of any managers and staff with a role in the investigative process. The modular programme includes awareness-raising components for managers and technical and skills-development components for those directly involved with investigations. The topics range from general investigative techniques to specialized areas, including investigating sexual harassment. The full complement of Investigation Learning Programme modules will be developed by the end of 2008, with training of programme managers expected to commence by early 2009.

Departments responsible: Department of Management and the Office of Internal Oversight Services
Status: In progress
Priority: High
Target date: To be determined

15. In paragraph 91 (e) the Board recommended that the Administration ensure a proper handing over of pending investigations when the Procurement Task Force ceases to operate.

16. Arrangements are being made to properly transfer the remaining caseload of the Procurement Task Force into the Investigations Division in order to ensure that these cases will be professionally investigated.

Department responsible: Office of Internal Oversight Services
Status: In progress
Priority: High
Target date: Fourth quarter 2008